

NO. PD-0268-21

STATE OF TEXAS

VS.

DARYL JOE

§  
§  
§  
§  
§

IN THE COURT FILED  
COURT OF CRIMINAL APPEALS  
10/19/2021  
DEANA WILLIAMSON, CLERK  
OF CRIMINAL  
APPEALS

**MOTION TO EXTEND TIME TO FILE APPELLANT'S BRIEF**

**TO THE HONORABLE COURT OF CRIMINAL APPEALS:**

Now comes Daryl Joe, Appellant in the above styled and numbered cause, and moves this Court to grant an extension of time to file Appellant's Brief on the Merits and for good cause shows the following:

1. This case is on appeal from the judgement of the 13<sup>th</sup> Judicial District Court of Navarro County, Texas, in STATE OF TEXAS vs. DARYL JOE, and numbered D37,693 and from the 10<sup>th</sup> Court of Appeals opinion in Case Number 10-18-00221-CR dated March 3, 2021.
2. Appellant filed a pro se Petition for Discretionary Review on June 11, 2021 which was granted on September 15, 2021.
3. This Court issued an order to determine indigency and appoint counsel within 30 days on September 15, 2021.
4. The Trial Court appointed the undersigned counsel on September 30, 2021.
5. Appellant's brief is due October 15, 2021.
6. Counsel has therefore not had the full 30 days in which to prepare and file Appellant's Brief on the Merits. Counsel has been unable to complete the brief

in the 25 days since appointment. Counsel was out of state on a family vacation when she received the appointment via email from the indigent defense coordinator and was unable to begin preparation of the brief for 7 days.

7. Counsel requests an extension of 5 days in order to complete the brief and requests the due date be extended to October 19, 2021.
8. The State does not object to this Motion.

**WHEREFORE, PREMISES CONSIDERED**, Appellant prays that this Court grant this Motion to Extend Time to File Appellant's Brief, and for such other and further relief as the Court may deem appropriate.

Respectfully submitted,

/s/

Damara H. Watkins

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### **CERTIFICATE OF SERVICE**

This is to certify that on October 15, 2021, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Navarro County, and the Office of the State Prosecutor by electronic filing.

/s/

Damara H. Watkins

### **Automated Certificate of eService**

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Status as of 10/19/2021 1:36 PM CST

Associated Case Party: State of Texas

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Stacey Soule		stacey.soule@SPA.texas.gov	10/15/2021 10:08:40 PM	SENT
Will Thompson		wthompson@navarrocounty.org	10/15/2021 10:08:40 PM	SENT